

Commissioner for Patents

REMARKS

Claims 2-7 and 10 are now in the application.

Claim 1 is canceled from the application.

Claims 2, 3 and 5-7 are herein amended to correct their dependencies.

New claim 10 is inserted into the application.

In Item 1 of the Office communication, the Examiner has objected to claims 1, 2, 5 and 7 under 35 U.S.C. 102(b) as being anticipated by Maresh (U.S. Patent No. 5,895,339), and by Whan-Tong et al. (U.S. Patent No. 6,146,313).

In Maresh, both cranks 620 rotate about a same axis of rotation, namely axis C, with the axis being immovable with respect to the support 618. Therefore, even though the actuator 692 causes the support 618 to pivot with respect to frame 610, the cranks always move together about their common axis of rotation C to alter the elliptical path of motion of the foot supports.

Similarly, as is illustrated in Fig. 23 of Whan-Thuong, both flywheels 24ai/bi rotate about a common axis, namely axis 26i. Therefore, the vertical displacement of the flywheels 24ai/bi resulting from the cooperation of elements 811/812/815 will have both flywheels 24ai/bi move together about their common axis 26i.

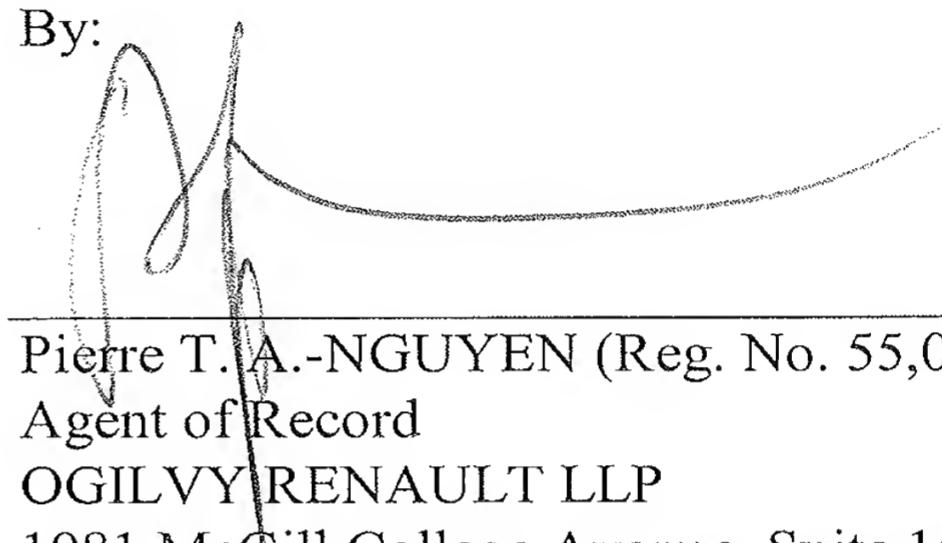
Therefore, in both Maresh and Whan-Tong, the cranks/flywheels move together as the cranks/flywheels always share a common axis of rotation. Therefore, claim 10 as herein introduced patentably distinguishes over these references.

Commissioner for Patents

In view of the above amendments remarks, this application is now believed to be in order for allowance, and early notice to that effect is earnestly solicited.

Respectfully submitted,
Mario GIRARD et al.

By:



Pierre T. A.-NGUYEN (Reg. No. 55,043)
Agent of Record
OGILVY RENAULT LLP
1981 McGill College Avenue, Suite 1600
Montreal, Quebec, Canada H3A 2Y3
Tel.: (514)847-4243

October 17, 2007
(Date)